

Remarks

Claims 1-7 are presently pending. Claims 1-7 have been rejected.

The Examiner has objected to the drawing sheet submitted on August 8, 2003 for not illustrating the drawing changes in red ink. In addition, the Examiner has objected to the drawings under 37 CFR § 1.83(a) for not showing the feature of "the pocket enveloping at least one of the fingers". In response, a drawing sheet, identical in all respects to the drawing sheet submitted on August 8, 2003, except for the changes indicated in red ink, has been submitted herewith. Further, the feature of "enveloping at least one of the fingers" has been eliminated from the claims as discussed hereinbelow. Please remove the objection(s) to the drawings.

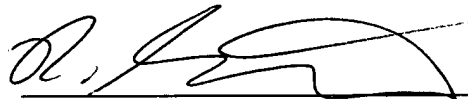
Claims 1-7 have been rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. In particular, the Examiner takes issue with the claims reciting that the pocket envelops at least one of the fingers and accommodates a food item which is partially exposed at the top opening. The Examiner cites "Merriam-Webster's dictionary" as defining "envelops" as "fully enclosing". In response, the limitation that the "pocket envelops at least one of the fingers" has been

removed from the claims. This limitation does not appear to be crucial to the claim in light of the significant other limitations that patentably distinguish the claim over the prior art. Please remove the rejection of claims 1-7 under 35 U.S.C. § 112, first paragraph.

The Examiner has indicated that claims 1-7 would be allowable if rewritten or amended to overcome the rejection under 35 U.S.C. § 112, first paragraph, set forth in the Office Action. Accordingly, notwithstanding the elimination of one phrase from claim 1, claims 1-7 should not be allowable.

Reconsideration and withdrawal of the rejection are respectfully requested. Please remove the rejection under 35 U.S.C. § 112 of claims 1-7, and enter the allowance thereof. The Applicant respectfully requests that a timely notice of allowance be mailed in this case.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'R. Goldstein', with a long horizontal flourish extending to the right.

Richard W. Goldstein

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